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SIPDIS

STATE FOR PM/RSAT

E.O. 12958: N/A

TAGS: [MASS IT EXPORT CONTROLS](#)

SUBJECT: GOI SIGNS BLANKET END-USE, RETRANSFER, AND SECURITY ASSURANCES AGREEMENT

REF: STATE 88850

1. (U) In May 2005, the Embassy delivered the USG verbal note transmitted in reftel to the Ministry of Foreign Affairs (MFA). This note offered the GOI the opportunity to sign blanket end-use, retransfer, and security assurances for U.S.-origin defense articles, related training, or defense services. On October 18, the MFA replied with the note verbale in paragraph two, number 229/411332, providing the assurances requested in reftel. Please note that the body of the note from the MFA was in English, with openings and closings in Italian that have been translated below. The original note verbale will be sent to PM/RSAT by pouch.

2. (U) (Begin text of note verbale)

Il Ministero degli Affari Esteri presenta i suoi complimenti all'Ambasciata degli Stati Uniti d'America ed ha l'onore di riferirsi alla Sua Nota Verbale protocollo n. 419 del maggio 2005 per confermarla quanto segue: (Translation: Customary opening with reference to our note verbale number 419 of 18 May 2005. End translation.)

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Italian Republic and has the honor to refer to the provisions of United States law that require the Government of the United States of America, prior to consenting to a government's retransfer of U.S. sold or granted defense articles or related training or other defense services (including technical data) to the Government of the Republic of Italy, to obtain from the Government of the Republic of Italy the assurances in paragraphs A and B below (end-use, retransfer and security assistances).

In order to expedite such retransfers by having standing bilateral end-use, retransfer, and security assurances from governments identical to those assurances contained herein, the Government of the United States of America proposes that the Government of the Republic of Italy agree that:

(A) The Government of the Republic of Italy shall not, unless the prior written consent of the Government of the United States of America has first been obtained;

(I) Permit any use by anyone not an officer, employee or agent of the Government of the Republic of Italy of any U.S. sold or granted defense articles or related training or other defense service;

(II) Transfer, or permit any officer, employee, or agent of the Government of the Republic of Italy to transfer such defense articles or related training or other defense service by gift, sale, or otherwise; and;

(III) Use, or permit the use of, such defense articles or related training or other defense service for purposes other than those for which provided.

(B) The Government of the Republic of Italy will maintain the security of such articles or services and will provide substantially the same degree of security protection afforded to such articles or services by the Government of the United States of America.

The Government of the United States of America provides herein its written consent in advance to the Government of the Republic of Italy to retransfer defense articles and services not referred to in Annex B to governments listed in Annex A.

The Government of the United States of America further proposes that the Government of the Republic of Italy agree to report to the Government of the United States of America all retransfers undertaken on the basis of this advance consent by listing all defense articles retransferred, their original acquisition value, and the government recipient of such articles. Such report must be provided to the Government of the United States of America promptly, but in no case later than thirty (30) days after the retransfer.

The Government of the United States reserves the right to suspend this advance retransfer consent at any time, with the

result that the Government of the Republic of Italy would thereby be required to seek from the Government of the United States of America on a case-by-case basis advance written consent to retransfer U.S. sold or granted defense articles, related training or other defense services.

The Ministry's reply stating that the foregoing is acceptable to the Government of the Republic of Italy shall together with this note constitute an Agreement between the two governments to be effective upon the date of the Ministry's reply.

#### Annex

Annex A currently consists of Afghanistan, Albania, Belgium, Bolivia, Canada, Chile, Denmark, Georgia, Hungary, Iraq, Israel, Jordan, Latvia, Lithuania, Malaysia, Morocco, New Zealand, Norway, Portugal, Oman, Tunisia, Turkey, and United Arab Emirates, all of which have provided blanket assurances.

Annex B (articles for which advance consent to retransfer is not granted, but will be determined on a case-by-case basis) includes: 1) classified defense articles, 2) defense articles with a combined original acquisition value exceeding \$7 million, 3) U.S.-origin defense articles not already in the inventory of the proposed recipient."

Il Ministero degli Affari Esteri ha l'onore di informare l'Ambasciata degli Stati Uniti d'America che il Governo italiano e d'accordo in merito al contenuto della Nota Verbale sopradescritta. (Translation: The Ministry of Foreign Affairs has the honor to inform the Embassy of the United States of America that the Italian Government agrees to the content and merit of the above Note Verbale. End translation.)

Il Ministero degli Affari Esteri si avvale dell'occasione per rinnovare all'Ambasciate degli Stati Uniti d'America le assicurazioni della sua piu alta considerazione. (Customary closing.)

(Signed) Rome, 18 October 2005

(End Note Verbale)

13. (SBU) Comment: The MFA official who delivered the note verbale, Dr. Giovanni Manfredi, stated that this note did not have much practical application to the GOI since the GOI does not have many surplus defense articles which are covered by the blanket assurances. The GOI agreed to provide these assurances, according to Manfredi, because it wants to enter into other agreements with the USG, specifically with the Department of Defense, and these blanket assurances are a necessary step towards entering into further agreements. End comment.  
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